



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/071,021	05/01/1998	RICHARD FRANK BRUNO	20-21-26-22-	5065

7590 02/26/2004
S H DWORETSKY
AT&T CORPORATION
P O BOX 4110
MIDDLETOWN, NJ 07748

EXAMINER

LOGSDON, JOSEPH B

ART UNIT	PAPER NUMBER
----------	--------------

2662

DATE MAILED: 02/26/2004

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/071,021

Applicant(s)

BRUNO ET AL.

Examiner

Joe Logsdon

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15, and 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections—35 U.S.C. 103(a):

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-5, 7-15, and 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kilander et al.

With regard to claims 1, 11, 14, 21, and 22, Kilander et al. teaches a method and system for connecting a call to one of a plurality of agents in a call center, wherein the method comprises receiving a query from a caller using the PSTN (abstract), regarding whether at least one agent is available (column 6, line 33 to column 7, line 26); determining which agent is to be connected based on the availability of the agent (column 6, line 33 to column 7, line 26); and connecting the call to the determined agent (column 6, line 33 to column 7, line 26). Kilander et al. fails to teach that the response to the query includes connection information of the determined

Art Unit: 2662

agent and that the networks are disparate. It would have been obvious to one of ordinary skill in the art to modify the invention of Kilander et al. so that it teaches that the response to the query includes connection information of the determined agent and so that it includes disparate networks because such an arrangement would provide callers using disparate networks with a choice of available agents.

With regard to claims 2 and 12, Kilander et al. fails to teach that an availability entry is updated for the agent to indicate that the agent is unavailable when the call is connected to the agent, and to indicate that the agent is available when the call terminates. It would have been obvious to one of ordinary skill in the art to modify the invention of Kilander et al. so that an availability entry is updated for the agent to indicate that the agent is unavailable when the call is connected to the agent, and to indicate that the agent is available when the call terminates because such an arrangement would enable the system to determine whether an agent is available for a call by simply examining the entry for the agent.

With regard to claim 3, Kilander et al. fails to teach that the response to the query uses SS7 signaling. SS7 has been a well known standard for signaling. It would have been obvious to one of ordinary skill in the art to use SS7 signaling for the response to the query because such an arrangement would allow the system to make use of a well known standard for signaling.

With regard to claim 4, Kilander et al. fails to teach that the step of determining an availability includes determining the availability of each agent and selecting an agent, wherein the step of responding to the query includes determining routing instructions for routing the call from the telecommunications network from which the query was received to the selected agent. It would have been obvious to one of ordinary skill in the art to modify the invention of Kilander

Art Unit: 2662

et al. so that it teaches that the step of determining an availability includes determining the availability of each agent and selecting an agent, wherein the step of responding to the query includes determining routing instructions for routing the call from the telecommunications network from which the query was received to the selected agent because such an arrangement would allow the system to route calls to selected agents.

With regard to claims 5 and 15, Kilander et al. fails to teach that the routing instructions are determined based on one of a lowest cost criterion, a hierarchical criterion, an RTNR/Optimized routing criterion, a time of day, a day of the week, a call origination location, and a network congestion condition. It would have been obvious to one of ordinary skill in the art to modify the teaching of Kilander et al. so that it teaches that the routing instructions are determined based on one of a lowest cost criterion, a hierarchical criterion, an RTNR/Optimized routing criterion, a time of day, a day of the week, a call origination location, and a network congestion condition because such an arrangement would allow the system to have a basis for determining which agent to select.

With regard to claims 7-10 and 17-20, Kilander et al. fails to teach that a network is either an NCP circuit switched network, an NCP ATM network, or an Internet resources network. These have all been well known network types. It would have been obvious to one of ordinary skill in the art to modify the invention of Kilander et al. so that it teaches that a network is either an NCP circuit switched network, an NCP ATM network, or an Internet resources network because such an arrangement would allow the system to benefit by using a well known, reliable type of network.

Art Unit: 2662

With regard to claim 13, Kilander et al. fails to teach that the processor communicates with each network using SS7. SS7 signaling has been well known in the art. It would have been obvious to one of ordinary skill in the art to modify the invention of Kilander et al. so that it teaches that the processor communicates with each network using SS7 because such an arrangement would allow the system to benefit from a well known, reliable type of signaling.

With regard to claims 23-26, Kilander et al. fails to teach that the connection information is a routing telephone number. It would have been obvious to one of ordinary skill in the art to modify the invention of Kilander et al. so that it teaches that the connection information is a routing telephone number because such an arrangement would enable the system to determine the agent based on the agent's telephone number.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Logsdon whose telephone number is (703) 305-2419. The examiner can normally be reached on Monday through Friday from 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached at (703) 305-4744.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

5. **Any response to this action should be mailed to:**

Art Unit: 2662

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 308-6743

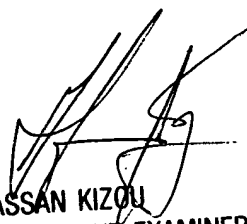
For informal or draft communications, please label "PROPOSED" or "DRAFT".

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Joe Logsdon

Patent Examiner

Friday, January 16, 2004



HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600